

The Gazette of India



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NOTICE

The undermentioned Gazettes of India Extraordinary were published during the week ending the 22nd November 1950 :—

S. No.	No. and Date	Issued by	Subject
1	S. R. O. 871, dated the 7th November 1950.	Ministry of Industry and Supply.	Empowering officers with certain powers in the State of Madhya Pradesh under section 22 of the Supply and Prices of Goods Ordinance, 1950.
	S. R. O. 872, dated the 7th November 1950.	Ditto . .	Empowering the Additional District Magistrate, Bhopal to sanction prosecution within the Bhopal city and the Huzur Tehsil.
	S. R. O. 873, dated the 7th November 1950.	Ditto . .	Authorizing the Director of Civil Supplies, Madhya Pradesh to exercise powers in respect of casein.
	S. R. O. 874, dated the 7th November 1950.	Ditto . .	List of contracts relating to the Indian Cotton of the year 1950-51 excluded from the operation of clause 4 of the Cotton Control Order, 1950.
	S. R. O. 875, dated the 7th November 1950.	Ditto . .	Authorizing officers to exercise powers on behalf of the Textile Commissioner.
	S. R. O. 876, dated the 7th November 1950.	Ditto . .	Further amendment in the Textile Commissioner's notification No. S. R. O. 58, dated the 20th May 1950.
	S. R. O. 877, dated the 7th November 1950.	Ditto . .	Amendment in the Cotton Control Order, 1950.
2	S. R. O. 907, dated the 2nd November 1950.	Ditto . .	The Indian Power Alcohol Rules, 1950.
3	S. R. O. 908, dated the 16th November 1950.	Ditto . .	Cancelling the Notification No. S. R. O. 502, dated the 2nd September 1950 regarding razor blades.

S. No.	No. and Date	Issued by	Subject
4	S. R. O. 931, dated the 14th November 1950.	Ministry of Rehabilitation.	Further amendment in the Permit System Rules, 1949.
5	S. R. O. 932, dated the 18th November 1950.	Ministry of Industry and Supply.	Authorizing Mr. K. G. Menon, I. C. S., Chief Secretary to the Government of Travancore Cochin to exercise powers in respect of raw rubber.
6	S. R. O. 933, dated the 18th November 1950.	Ditto .	Empowering the Controller of Civil Supplies, Mysore with certain powers in the Mysore State under section 22 of the Supply and Prices of Goods Ordinance, 1950.
	S. R. O. 934, dated the 18th November 1950.	Ditto .	Authorizing officers in the State of Bihar to exercise powers in respect of certain goods.
	S. R. O. 935, dated the 18th November 1950.	Ditto .	Delegation of powers on behalf of Central Government under the Supply and Prices of Goods Ordinance, 1950 to certain officers of the Bihar State.

Copies of the Gazette Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of this Gazette.

PART II—Section 3

Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).

MINISTRY OF HOME AFFAIRS

New Delhi, the 18th November 1950

S.R.O. 937.—In exercise of the powers conferred by clause (2) of article 77 of the Constitution of India, the President is pleased to direct that the following further amendments shall be made in the rule regarding the signing of orders and other instruments made and executed in the name of the President, published in the notification of the Government of India in the Ministry of Home Affairs No. 34/12/50-Public, dated the 19th June 1950, namely:—

In the said rule—

(a) after the word "Secretary" the words "Additional Secretary" shall be inserted;

(b) in clause (1)—

(i) after the words "by a Director" the words "or a Joint Director" shall be inserted;

(ii) the words "or by the Controller or the Deputy Controller of Railway Accounts in" shall be deleted; and

(c) in clause (2), for the words "an Assistant or a Deputy Assistant Chief Administrative Officer" the words "an Assistant Chief Administrative Officer" shall be substituted.

[No. 34/4/50-Public.]

FATEH SINGH, Dy. Secy.

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 14th November 1950

S.R.O. 938.—In exercise of the powers conferred by section 4 of the Foreign Jurisdiction Act, 1947 (XLVII of 1947), and of all other powers enabling it in this behalf, the Central Government is pleased to direct that the following amendment shall be made in the Chandernagore (Application of Laws) Order, 1950, namely:—

To the entries in the Schedule annexed to the said Order the following entry shall be added namely:—

"1948 The Census Act 1948".

[No. 414-Eur./I/60].

U. S. BAJPAI, Under Secy.

New Delhi, the 21st November 1950

S.R.O. 939.—In exercise of the powers conferred by Order XXVII Rules 1 & 2 of the Code of Civil Procedure 1908 (Act V of 1908) the Central Government is pleased to authorise the Collector of South Kanara who is acquainted with the In the Court of District Munsif facts of the marginally noted suit proposed to be filed by the Union of India against Laxmi of Horsdug Union of India—*Plaintiff* Amma and others. The widow and the other heirs of late Sri K. Raman Nair in the Court of *Versus* Laxmi Amma and others—*Defendants* the District Munsif of Horsdug to sign and verify the plaints and sign all other papers on behalf of the Central Government in the said suit and is further pleased to authorise the said Collector of South Kanara to act for the Central Government, enter appearance, and make applications and do all other acts in the said suit and all proceedings arising out of or connected with the same.

[No. 421-BII]

Dated at New Delhi this 21st day of November 1950.

By orders of the Central Government,
S. SEN, Dy. Secy.

MINISTRY OF STATES

New Delhi, the 16th November 1950

S.R.O. 940.—The Central Government is pleased to notify that Raja Bahadur Major Narendra Singh and Maharaj Kumar Major Pushpendra Singh, sons of His Highness the Maharaja of Panna Ruler of Panna, have been nominated by the said Ruler for the purposes of Entry 2(b) of the Table annexed to Schedule I to the Indian Arms Rules, 1924.

[No. 139-D].

A. N. BHANOT-NISAR, Under Secy.

MINISTRY OF FINANCE (REVENUE DIVISION)

OPIUM

New Delhi, the 25th November 1950

S.R.O. 941.—In pursuance of clause (a) of rule 2 of the Central Opium Rules 1934, the Central Government is pleased to define, the tracts, specified in the Schedule appended hereto, in the State of Bilaspur as the tracts within which poppy may be cultivated on account of Government during the year ending the 30th September 1951.

SCHEDULE

Parganas	Talukas	Villages
Bhadarpur	Saddar	Chaujata, Panjail Khurd, Janed, Bahli, Sol'a, Barnoon, Kharai, Brahmanan, Chambi Kyabaran.

Mehns, Ghamrara, Asaa Manjari,
Socijan, Thach, Chanser, Malo-
khar, Bag Chhoti, Galore,
Gahota, Sojan, Bag Kalan,
Dazzech, Numhol, Panjail
Kalan, Patta Noruan, Nihar-
khan Basla, Sohri, Chandpur.

[No. 8.]

D. P. ANAND, Dy. Secy.

INCOME-TAX

New Delhi, the 25th November 1950

S.R.O. 942.—In exercise of the powers conferred by sub-section (1) of section 9 of the Revenue Recovery Act, 1890 (I of 1890), the Central Government hereby cancel Notification No. 1-General, dated 4th December, 1937, of the Late Finance Department (Central Revenues).

[No. 135]

PYARE LAL, Dy. Secy.

INCOME-TAX

New Delhi, the 25th November 1950

S.R.O. 943.—In exercise of the powers conferred by section 60A of the Indian Income-tax Act, 1922 (XI of 1922), the Central Government is pleased to make the following amendments in the Merged States (Taxation Concessions) Order, namely:—

After clause (iii) of paragraph 13 of the order, the following clause shall be added, namely:—

“(iv) The bona fide annual value of the residential palace of the Ruler of an Indian State which is situate within the merged State and is declared by the Central Government as his inalienable ancestral property.”

[No. 136.]

P. C. PADHI, Addl. Secy.

CUSTOMS

New Delhi, the 25th November 1950

S.R.O. 944.—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government is pleased to exempt fresh pomegranates from so much of the import duty leviable thereon as is in excess of:—

- (1) 5 per cent. *ad valorem* if they are the produce of Burma,
- (2) 15 per cent. *ad valorem* if they are the produce of a British Colony, and
- (3) 25 per cent. *ad valorem* if they are not the produce of Burma or a British Colony.

[No. 144]

S.R.O. 945.—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government is pleased to cancel the notification of the Government of India in the Ministry of Finance (Revenue Division) No. 136-Customs, dated the 7th October 1950.

[No. 145]

S.R.O. 946.—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government is pleased to exempt fresh Grapes from so much of the import duty leviable thereon as is in excess of—

- (1) 9 per cent. *ad valorem* if they are the produce of Burma,

- (2) 19 per cent. *ad valorem* if they are the produce of a British Colony, and
 (3) 25 per cent. *ad valorem* if they are not the produce of Burma or a British Colony.

[No. 146]

K. R. P. AIYANGAR, Joint Secy.

CENTRAL BOARD OF REVENUE

INCGB-TAX

New Delhi, the 25th November 1950

S.R.O. 947.—In pursuance of sub-section (4) of section 5 of the Indian Income-tax Act, 1922 (XI of 1922), and in partial modification of its notification No. 32-Income-tax, dated the 9th November, 1940, the Central Board of Revenue directs that the Appellate Assistant Commissioner of Income-tax, Coimbatore, shall also and the Appellate Assistant Commissioner of Income-tax, Bangalore, shall not perform his functions in respect of persons specified in column 3 of the schedule hereto annexed for the appeals mentioned in the corresponding entry in column 2 thereof:

S. No.	No. of appeal.	Name and address of assessee.
1	2	3
1	71	Bardd Muniswamisa, Ranginithaswamy Temple Street, Bangalore.
2	67	S. J. Sakoor, Partner, S. T. S. Sakoor & Brothers, Commercial Street, Bangalore.
3	68	P. S. Wileb & Sons, Commercial Street, Bangalore.
4	173	Rajmal K. Purushottam, Merchants, Arot Sreenivasaiah Street, Bangalore City.
5	179	R. A. Vidyapuri Mudaliar, cloth Merchants, Chickpet Bangalore City.

[No. 134.]

PYARE LAL, Secy.

MINISTRY OF COMMERCE

IMPORT TRADE CONTROL

New Delhi, the 15th November 1950

S.R.O. 948.—In exercise of the powers conferred by section 3 of the Imports and Exports (Control) Act, 1947 (XVIII of 1947), the Central Government is pleased to direct that the Notification of the Government of India in the Ministry of Commerce No. 6-I.T.C./50, dated the 15th April 1950 shall be cancelled.

[No. 49-I.T.C./50].

S.R.O. 949.—In exercise of the powers conferred by sub-section (3) of section 3 of the Imports and Exports (Control) Act, 1947 (XVIII of 1947), the Central Government is pleased to direct that the following amendment shall be made in the Notification of the Commerce Ministry No. 2-ITC/48, dated the 6th March, 1948, namely:—

“In the said Notification, sub-clause (iv) of clause (a) shall be omitted and sub-clause (v) shall be renumbered as clause (iv)”.

[No. 50-I.T.C./50].

S.R.O. 950.—In exercise of the powers conferred by section 3 of the Imports and Exports (Control) Act, 1947 (XVIII of 1947), the Central Government is pleased to make the following order, namely:—

No person shall transfer and no person shall acquire by transfer any licence issued under any of the clauses (viii) to (xiv) of the Notification of the Government of India in the late Commerce Department No. 23-ITC/43, dated the 1st July,

1943, except under and in accordance with the written permission of any authority which granted the licence or of any other person empowered in this behalf by such authority.

[No. 51-I.T.C./50].

R. J. PRINGLE, Joint Secy

MINISTRY OF AGRICULTURE

New Delhi, the 20th November 1950

S.R.O. 951.—In exercise of the powers conferred by clause (n) of sub-section (2) of section 8 of the Indian Lac Cess Act, 1930 (XXIV of 1930), the Central Government is pleased to direct that the following further amendment shall be made in the Indian Lac Cess Rules, the same having been previously published as required by sub-section (1) of the said section, namely:—

“In rule 19 of the said rules—

- (a) in sub-rules (1) and (4) for the word ‘expenditure’ the word ‘payments’ shall be substituted;
- (b) in sub-rule (7) for the words ‘expenditure incurred’ the words ‘payments made’ shall be substituted.”

[No. F. 4-30/50-Com.]

S. R. MAINI, Dy. Secy.

New Delhi, the 25th November 1950

S.R.O. 952.—In exercise of the powers conferred by sub-section (1) of section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government is pleased to direct that the following further amendment shall be made in the Vegetable Oil Products Control Order 1947, namely:—

(1) In the said Order:—

(i) Throughout the Order for the words “Province” and “Provincial” the word “State” shall be substituted

(2) For sub-clause (ii) of clause 1, the following sub-clause shall be substituted:—

(ii) It extends to the whole of India except the State of Jammu and Kashmir.

(3) In sub-clause (b) of clause 3, the words “or of an Indian State;” shall be omitted.

(4) In clause 9 for the words “His Majesty” the words “the Government” shall be substituted.

(5) After clause 10 the following shall be added, namely:—

“11. Any law in force in any Part B State except the State of Jammu and Kashmir, corresponding to this Order, by whatever name called, is hereby repealed.”

“12. All Notifications, directions and orders issued under this Order which immediately before the 25th of November, 1950 were in force in certain parts of India are hereby extended to and shall be in force in the rest of India except the State of Jammu and Kashmir.”

[No. 2-VP(2)/50.]

N. T. MONE, Joint Secy.

MINISTRY OF EDUCATION

ARCHAEOLOGY

New Delhi, the 13th November 1950

S.R.O. 953.—In exercise of the powers conferred by sub-section (1) of section 3 of the Ancient Monuments Preservation Act 1904 (VII of 1904), the Central Government is pleased to declare the ancient monument (Sisupalgarh) described in the annexed Schedule to be protected monument within the meaning of the said Act.

SCHEDULE

Short description	Locality	District	Survey plot Nos. included in the area	Boundary	Area Acres
Sisupalgarh	Ancient remains inside and outside the rampart, mostly buried.	Sisupalgarh Puri	Plot Nos. 65 to 289, 305 to 315 and 388 to 1457 of Mouza Sisupal. Plot Nos. 63, 64, 313, 315 to 329, 332 to 334, 337 to 347 and 456 of Mouza Baradhanpur. Plot Nos. 4 to 39, 85 to 118, 440 to 644, 646 to 648 and 780 to 862 of mouza Lingipur.	Bounded on north by plot Nos. 21, 20, 6, 3 of mouza Mahabhoissan plot Nos. 45 (Ganga Nala) 60, 61, 63, 64. 290, 302, 304, 316, 337 and 336 of mouza Sisupal. Bounded on East by plot Nos. 62, 540, 65, 530, 312, 314, 330, 331, 335, 336, 348 (Dimirisahara Nala) and 455 of Mouza Baradhanpur.	342.262 11.520 81.339 4.080
			Plot Nos. 1 to 12 of Mouza Raghunathpur, plot Nos. 7, 8, 9, 13 to 19, 22 to 81 and 86 to 320 excluding plot Nos. 232, 235, 236, 242, 248 of Mouza Mahabhoi Sasan.	Bounded on south by plot Nos. 845 (Dimirashara Nala) 2202, 40 (District Board road to Puri) of mouza Lingipur and plot No. 13 (District Board Road Puri) of Mouza Raghunathpur.	123.500
				Bounded on West by plot Nos. 11, 12, 232 (Balachatra Nala) of mouza Mahaboissan, by mouza Bhuvaneswar and Mouza Nuagaon i.e. Boundary of Mouzas Bhuvaneswar and Nuagaon that is river Ganga and plot No. 13 (District Board Road to Puri) of Mouza Raghunathpur.	562.881
TOTAL AREA.					[No. F.3-41/49-A.2].

S.R.O. 954.—In exercise of the powers conferred by sub-section (1) of section 3 of the Ancient Monuments Preservation Act, 1904 (VII of 1904), the Central Government is pleased to declare the ancient monument (Megalithic cairns with stone circles) described in the annexed Schedule to be a protected monument within the meaning of the said Act.

SCHEDULE

1. Name of Monument	Megalithic cairns with stone circles.
2. District, Town or village in which situate.	South Arcot district, Tindivanam taluk, V. No. 223, Sengamedu.
3. Survey Numbers	S. Nos. 87/5, 91 (part).
4. Owner	For S. No. 87/5.—Private. For S. No. 91 (part).—Government Poramboke.
5. Boundaries	For S. No. 87/5.— North : S. No. 91. East : S. No. 87/6. South : S. No. 87/6. West : S. No. 87/4, 3.
	For S. No. 91 (part).— North : S. No. 91 (part). East : French territory (Soato-ukeni village). South : S. Nos. 93, 92, 87. West : S. No. 91 (part).
6. Extent	For S. No. Acre Cent 87/5 1 53 91 (part) 12 00

[No. F. 4-8/50-A.2.]

New Delhi, the 20th November 1950

S.R.O. 955.—In exercise of the powers conferred by sub-section (3) of section 3 of the Ancient Monuments Preservation Act, 1904 (VII of 1904), the Central Government is pleased to confirm its Notification in the Ministry of Education No. F.4-14/49-A.2., dated the 27th July, 1950 declaring the ancient monument (Sri Narasimha temple in Cuddapah district) described in the Schedule annexed thereto to be a protected monument within the meaning of the said Act.

[No. F.4-14/49-A.2.]

BINA CHATTERJEE, Under Secy.

MINISTRY OF HEALTH

New Delhi, the 17th November 1950

S.R.O. 956.—In pursuance of clause (7) of rule 2 of the Indian Aircraft (Public Health) Rules, 1946, and in supersession of the notification of the Government of India in the late Department of Health, No. F.14-2(1)/46-P.H.(II), dated the 19th October, 1946, the Central Government is pleased to declare the following areas to be infected with yellow fever, namely:—

CONTINENT OF AFRICA

“From the mouth of the River Senegal along that river eastward to the 15 degree North parallel of latitude, thence eastward along that parallel to the eastern border of the Anglo-Egyptian Sudan, thence northward along the north-western boundary of Eritrea to the Red Sea Coast, thence southward along the east coast of Africa to the southern boundary of Tanganyika territory, thence westward along that boundary to its junction with the eastern boundary of Nyassaland, thence along that boundary successively southward, westward and northward

to its junction with the eastern boundary of Northern Rhodesia, thence successively westward, southward and again westward along the southern boundary of Northern Rhodesia to its junction with the northern boundary of Bechuanaland, thence along that boundary successively southward, westward and northward to its junction with the southern boundary of Angola and thence westward along that boundary to the west coast of Africa, thence northward along the west coast of Africa to the mouth of the River Senegal: including the Islands of the Gulf of Guinea."

CONTINENT OF SOUTH AMERICA

Brazil, Bolivia, Peru, Ecuador, Colombia, the Republic of Panama including the Panama Canal Zone, Venezuela, British Guiana, French Guiana and Dutch Guiana.

[No. F.2-24/50-PH.(II)].

P. S. DORASWAMI, Under Secy.

MINISTRY OF COMMUNICATIONS

POSTS AND TELEGRAPHHS

New Delhi, the 15th November 1950

S.R.O. 957.—In exercise of the powers conferred by Sections 4 and 7 of the Indian Telegraph Act, 1885 (XIII of 1885), the Central Government is pleased to direct that the following amendments shall be made in the Indian Telegraph Rules, 1932, namely:—

In Rule 452-A of the said Rules:—

(i) After sub-rule (2), the following shall be inserted as sub-rule (3), namely:—

"(3) The charges for a telephone connection within a radial distance of 4 miles from a departmental exchange, which is not under the message rate system, shall, for subscribers to whom the "Own your telephone scheme" applies, during the initial period of 20 years, be as follows:—

(a) Initial payment towards cost of telephone equipment to be made in one instalment	Rs. 2,000
(b) Maintenance charges (monthly)	Rs. 2
(c) Charges for local calls (monthly)	Rs. 12"

(ii) Sub-rules (2-A), (3) and (4) shall be renumbered as sub-rules (4), (5) and (6) respectively.

[No R-3-27/50].

New Delhi, the 16th November 1950

S.R.O. 958.—In exercise of the powers conferred by sections 10 and 32 of the Indian Post Office Act, 1898 (VI of 1898), the Central Government is pleased to direct that the following further amendments shall be made in the Indian Post Office Rules, 1933, with effect from the 1st December, 1950, namely:—

In the said Rules:—

I. In rule 5:—

(1) Under the heading, "Letters", for clause (A) the following shall be substituted, namely:—

"(A) For any part of the world served by the Foreign Post with the exception of Aden, Ceylon, Nepal, Pakistan and Portuguese India:—

For a weight not exceeding one ounce four annas.

For every additional ounce or fraction thereof two and a half annas."

(2) Under the heading, "Postcards", for clause (A) the following shall be substituted, namely:—

"(A) For any part of the world served by the Foreign Post with the exception of Aden, Ceylon, Nepal, Pakistan and Portuguese India:—

For a single postcard two and a half annas.

For a reply postcard five annas."

(3) Under the heading, "Business Papers (legal and commercial documents)", for clause (A) the following shall be substituted, namely:—

"(A) For any part of the world served by the Foreign Post with the exception of Aden, Ceylon, Nepal, Pakistan and Portuguese India:—

For a weight not exceeding 10 ounces four annas.

For every additional two ounces or fraction thereof nine pies."

(4) Under the heading, "Insured Boxes", for the existing entries the following shall be substituted, namely:—

"For a weight not exceeding ten ounces one rupee.

For every additional two ounces or fraction thereof three annas and three pies."

II. In rule 7 —

(1) For the Proviso to sub rule (1), the following shall be substituted, namely:—

"Provided that the postage or air mail fee actually charged shall in no case be less than one anna and three pies."

(2) For the existing sub rule (2), the following shall be substituted, namely:—

"(2) For clearance through the customs, a fee of six annas recoverable from the addressee shall be levied on all foreign letters, packets and insured boxes, and a fee of eight annas on all foreign parcels, imported by post into India on which import customs duty is payable."

III For rule 85, the following shall be substituted, namely:—

"85. In addition to the postage and the registration fee (in the case of letters and boxes), the following further fees shall be charged for insurance.

For insurance of letters and parcels to Aden or Ceylon and of letters to Portuguese India:—

	Annas
Where the value insured does not exceed Rs. 100	4
Where the value insured exceeds Rs. 100 but does not exceed Rs. 200	5½
Where the value insured exceeds Rs. 200 but does not exceed Rs. 300.	8
For every additional Rs. 100 or fraction thereof over Rs. 300 and upto Rs. 1,000.	2
For every additional Rs. 100 or fraction thereof over Rs. 1,000.	1
For Insurance of letters and parcels to British Somaliland, Burma, Mauritius or Seychelles and parcels to Portuguese India:—	
Where the value insured does not exceed Rs. 460	12
For every additional Rs. 460 or fraction thereof	12

**For Insurance of letters and parcels to Great Britain
and Northern Ireland and to British Possessions
and foreign countries other than those men-
tioned above:—**

Annas

Where the value insured does not exceed £.35

12

For every additional £.35 or fraction thereof

12"

[No. R-1-32/49].

K. V. VENKATACHALAM, Dy. Secy.

MINISTRY OF TRANSPORT

PORTS

New Delhi, the 15th November 1950

S.R.O. 959.—In exercise of the powers conferred by sub-section (1) of section 35 of the Indian Ports Act, 1908 (XV of 1908), the Central Government is pleased to direct that, with effect from 20th November 1950, the following amendments shall be made in the Schedule annexed to the notification of the Government of India in the Ministry of Transport No. 14-P(35)/50, dated the 12th April 1950, specifying the fees for services rendered at the Port of Kandla, namely:—

(1) Under the heading "F. Hire of Port Craft" under sub-head "Lighters" the following shall be inserted at the end, namely:—

"Annas 8 per ton of carrying capacity of lighters for cargo discharged from or shipped into vessel alongside the R.C.C. Pier."

(2) In item "G. Night, Holidays, Sunday or overtime work charges" under sub-head "I. Steamers" after entry (a) (3) the following shall be inserted, namely:—

"Note:—The charge prescribed under (3) above shall not be levied in the case of steamers working at R.C.C. Jetty."

[No. 14-P(35)/50].

J. K. ATAL, Dy. Secy.

New Delhi, the 20th November 1950

S.R.O. 960.—In exercise of the powers conferred by clause (k) of sub-section (1) of Section 6 of the Indian Ports Act, 1908 (XV of 1908), the Central Government is pleased to direct that the following amendments shall be made in the Port of Bombay Passenger Boat Rules, 1921, published with the notification of the Government of Bombay in the Marine Department No. 186, dated the 25th January 1921, the same having been previously published as required by sub-section (2) of the said section, namely:—

(A) For the existing table of fares at the end of the said rules entitled "Authorized Table of Fares for Mechanically propelled vessels in the Bombay Harbour", the following shall be substituted, namely:—

"Authorised Table of Fares for Mechanically propelled vessels in the Bombay Harbour.

C r i s i n g C h a r g e*
(When the vessel is under
way with the engine run-
ning)

Rs. A.P.

W a i t i n g C h a r g e s
(When the vessel is not
under way with the engine
running)

Rs. A.P.

1. For the hire of a vessel for
any period—

(a) Not exceeding a quarter
of an hour.

5 0 0

2 8 0

	<i>Cruising Charges (When the vessel is under way with the engine running)</i>	<i>Waiting Charges (When the vessel is not under way with the engine running)</i>
	<i>Rs. A. P.</i>	<i>Rs. A. P.</i>
(b) Exceeding a quarter of an hour but not exceeding half an hour,	10 0 0	5 0 0
(c) Exceeding half an hour but not exceeding three quarters of an hour,	15 0 0	7 8 0
(d) Exceeding three quarters of an hour but not exceeding an hour; and	20 0 0	10 0 0
For each quarter of an hour or part thereof, in excess of an hour.	5 0 0	2 8 0
2. For the hire of a vessel for a trip -		
(F) For a short distance to and from ships lying within Tucker Beacon and cross Island.	Rs. 2/- per head each way subject to a minimum total hire charge of Rs. 12/- per single trip and Rs. 20/- return.	The fares per trip shall be inclusive of a waiting period not exceeding half an hour. Waiting in excess of half an hour may be charged for at the rates provided in 1 above.
(b) For long distances to and from ships lying near Pir Pao, Butcher Island, Hog Island & Elephanta Island.	Rs. 5/- per head each way subject to a minimum total hire charge of Rs. 30/- per single trip and Rs. 40/- return.	
3. For a trip from Apollo Bunder on a round roughly between Middle Ground and the Dolphin Rock Lighthouse.	0- 8 0 Per passenger	

NOTE.—(1) All baggage except hand parcels to be paid for at the rate of 4 annas per package.

(2) Persons wishing to engage a vessel for any other service shall make their own arrangements for the fare with the syrang, tindal or owner, of the vessel."

(B) For rules 1, 6, 8, 11, 12, 13 and 17 of the said rules, the following rules shall be substituted, namely:—

"1. *Places from which boats to ply for hire.*—Boats may ply for hire from any one or more of the following landing places from which they shall have been licensed to ply:—

- (1) Sassoon Dock,
- (2) Apollo Bunder,
- (3) Ballard Bunder,
- (4) Mody or Carnac Bunder.
- (5) Prince's and Victoria Docks.
- (6) Malet Bunder,
- (7) Mazgaon Bunder Pier.
- (8) Lakdi Bunder,
- (9) Sewree Salt Fish Wharf."

"6. *No person to keep or let for hire any boat without a license and without being numbered.*—No person shall keep or let for hire any boat without having a license in force for the same and unless there be painted or branded on such parts of the said boat and in such manner as the registering authority may direct, the registration number allotted to it."

"8. Licenses when and by whom to be issued.—Licenses issued under rule 6 shall be valid for one year unless suspended or revoked earlier, in accordance with the provisions of rule 12 hereunder, and will usually be granted on the 1st January in each year by the Deputy Conservator."

"11. Licenses to be renewed annually.—The Deputy Conservator shall, as soon as possible, after the 1st day of January in each year renew the licenses on payment of the prescribed fee by the licensee. While renewing the license, it shall be open to the Deputy Conservator to alter or reduce the number of the landing places from which the boat is licensed to ply.

Provided that nothing herein contained shall prevent the Deputy Conservator from refusing absolutely to renew the license of any boat which he may consider to be insufficiently found or otherwise unfit, or the owner or licensee or other attendant of which he may consider unfit to be entrusted with such renewed license:

Provided further that the licensee or other attendant of a mechanically-propelled vessel shall not, by reason of any license granted under these rules, ply such vessel for hire during the interval between the date of the expiry of the Certificate of Survey granted to such vessel under the provisions of the Inland Steam-Vessels Act, 1917 (I of 1917), and the date of issue of a renewed Certificate of Survey."

"12. Deputy Conservator may suspend or revoke licenses.—In the event of any licensed boat being at any time insufficiently found or otherwise unfit for the conveyance of the public or of the licensee or other attendant thereof appearing unfit to be entrusted with the charge of the same or of the boat being used for any purpose other than that for which the license is granted or in case of breach of any of the conditions entered in the license the Deputy Conservator may suspend or revoke the license."

"13. Boats of which the license has been suspended or revoked not to ply for hire until restoration or renewal of license.—The owner of any boat the license of which shall have been suspended or revoked shall not again permit the same to ply for hire before he shall have obtained a restoration or renewal of such license from the Deputy Conservator."

"17. No person to use or authorise the use of a license, other than for the boat for which it has been issued.—The Deputy Conservator shall keep a register containing full particulars of each boat as entered in the license thereof, and no person shall use or authorise the use of a license, other than for the particular boat for which it has been issued, as apparent from the register."

[No. 8-P(87)/50.]

T. S. PARASURAMAN, Dy. Secy.

MINISTRY OF LABOUR

New Delhi, the 15th November 1950

S.R.O. 961.—Corrigendum.—In the Ministry of Labour Notification No. M-33(1) 50 (S.R.O. 728), dated the 28th September, 1950, published on pages 729-732 of Part II Section 3 of the Gazette of India dated the 7th October 1950.

- (1) in the paragraph relating to "Educational facilities" on page 730 the following words and figures shall be omitted, namely, "Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central" and
- (2) in the statement of Accounts 1949-50, on page 732 for the figures "Rs. 42,06,567-2-10" shown as closing balance on the 31st March 1950, the figures "Rs. 42,06,567-12-10" shall be substituted.

[No. M-33(1)50].

S.R.O. 962.—The following draft of an amendment to the Coal Mines Labour Welfare Fund Rules, 1949, which it is proposed to make in exercise of the powers conferred by section 10 of the Coal Mines Labour Welfare Fund Act, 1947 (XXXII

of 1947), is published for the information of all the persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the 1st January 1950.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

Draft Amendment

From the existing rule 25 the following words shall be deleted, namely:—

“and the salaries and allowances of the officers and staff employed by the Fund”.

[No. M1(6)50].

P. N. SHARMA, Under Secy.

New Delhi, the 16th November 1950

S.R.O. 963.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government is pleased to publish the award of the Industrial Tribunal, constituted by Order of the Government of India in the Ministry of Labour No. LR.2(215)/I, dated the 5th October, 1950, in the matter of the complaints in this behalf under section 33-A of the said Act.

BEFORE MR. M. C. SHAH, INDUSTRIAL TRIBUNAL, BOMBAY

Complaints Nos. 4, 5, 6, 7, 8 and 9 of 1950

IN

Reference (IT-CG) No. 2 of 1950

BETWEEN

The Asian Assurance Company Limited, Bombay

AND

Its employees in its Head Office,

In the matter of complaints under section 33A of the Industrial Disputes Act, 1947.

APPEARANCES

Mr. R. A. Menezes, General Secretary, Asian Assurance Employees Union, for the Complainants.

Mr. G. P. Tolani, Manager, with Mr. R. M. Coutts, Agency Superintendent, for the Company.

AWARD

These are six complaints under section 33A of the Industrial Disputes Act, 1947 by six employees of the Asian Assurance Company Limited, whose services have been terminated by the Company by a notice dated 27th April 1950, excepting in the case of Mr. S. B. Salian (in Complaint No. 5 of 1950) whose services were terminated by a notice, dated 26th April 1950. Of these Mr. Salian and Mr. Azavedo (in Complaint No. 6 of 1950) were permanent employees and the remaining four employees were temporary hands. Their case is that as the discharges took place during the pendency of Reference (IT-CG) No. 2 of 1950 the Company had contravened the provisions of section 33A of the Industrial Disputes Act and the employees were entitled to be reinstated in service and to incidental reliefs. The Company disputed the claim and contended that on account of its strained financial position it had become absolutely necessary to reduce the staff, that the Company had made an all-round reduction in expenses and that the discharge of the complainant's from service was part of the general scheme of retrenchment undertaken by the Company with the object of effecting economy. The Company also took a preliminary objection *viz.*, that the retrenchment having been effected prior to the enactment of section 33A of the Act, the case was not covered by the said section and the complaint was not maintainable.

2. At the hearing of these complaints, the parties stated the facts and had no further arguments to urge than those which were urged in the Complaint No. 2 of 1950.

3. A preliminary objection similar to the one now urged was taken by the Company in the said Complaint No. 2 of 1950 in Reference (IT-CG) No. 2 of 1950 filed by certain other employees and it has been considered by me at length in my Award dated 6th October 1950 passed on the said complaint and for reasons there stated I uphold the preliminary objection and find that section 33A has no retrospective effect. Now the complainants in Complaints Nos. 4, 7, 8, and 9 *viz.*, Messrs. Waghwa, Shirndker, Prabhoo and Shetty were discharged with effect from

1st May 1950 and Mr. Salian, in Complaint No. 5, was discharged with effect from 26th April 1950. Therefore, in the view I have taken in the Award in the complaint No. 2 of 1950, the termination of the services of these five employees having taken place prior to the coming into effect of section 33A of the Act which latter was on 20th May 1950, section 33A will have no operation in this case and their complaints are not maintainable. Accordingly they are dismissed.

4 As for Mr. Azavedo the notice served on him mentions that his services were terminated with effect from 31st May 1950 and that they will not be required from 1st June 1950. He was however called upon to hand over charge on 29th April 1950 and to proceed on one month's leave due to him and it appears that he was relieved of the charge on the 29th April and was paid one month's salary in lieu of leave. His case is similar to that of Mr. Bolakani, with which I have dealt in Complaint No. 2 of 1950 and for reasons there stated I hold that Mr. Azavedo's complaint too is not maintainable. Accordingly it is dismissed. No order as to costs.

Sd. K. R. WAZKAR,
Secretary,

Sd. M. C. SHAH,
Industrial Tribunal

Bombay, 26th October, 1950.

[No. LR-2(255)]

N. C. KUPPUSWAMI, Under Secy.

